



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/768,313
Filing Date	January 30, 2004
First Named Inventor	Terry et al.
Art Unit	2618
Examiner Name	Marceau Milord
Attorney Docket Number	I-2-0192.5US

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Form PTO-1449 (3 pgs. w/<br>a translated copy of the Georgian<br>Search Report and copies of six (6)<br>references). |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	VOLPE AND KOENIG, P.C.		
Signature	<i>Scott Wolinsky</i>		
Printed name	Scott Wolinsky		
Date	January 31, 2007	Reg. No.	46,413

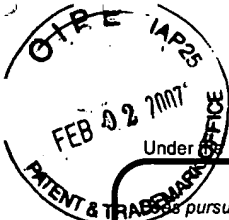
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Scott Wolinsky</i>		
Typed or printed name	Scott Wolinsky	Date	January 31, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



As pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/768,313
Filing Date	January 30, 2004
First Named Inventor	Terry et al.
Examiner Name	Marceau Milord
Art Unit	2618
Attorney Docket No.	1-2-0192.5US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 09-0435 Deposit Account Name: InterDigital Communications Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
-	=	x	=	0

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	
-	=	x	=	0

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)	
-	-	/ 50 =	(round up to a whole number) x	=	0

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure Statement

Fees Paid (\$)

\$180.00

**SUBMITTED BY**

Signature	<u>Scott Wolinsky</u>	Registration No. (Attorney/Agent)	46,413	Telephone	215-568-6400
Name (Print/Type)	Scott Wolinsky			Date	January 31, 2007

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



# PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Terry et al.

**Application No.:** 10/768,313

**Confirmation No.:** 6324

**Filed:** January 30, 2004

**For:** DYNAMIC CHANNEL QUALITY  
MEASUREMENT PROCEDURES FOR  
OPTIMIZING DATA TRANSMISSION  
IN A WIRELESS DIGITAL  
COMMUNICATION SYSTEM

**Group:** 2618

**Examiner:** Marceau Milord

**Our File:** I-2-0192.5US

**Date:** January 31, 2007

### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Newly cited documents are indicated by an asterisk (\*). Copies of the cited documents are enclosed.

Pursuant to 37 C.F.R. § 1.97(e)(1), the undersigned certifies that each new item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, copy enclosed,

02/02/2007 HVUONG1 00000026 090435 10768313

01 FC:1806 180.00 DA

**Applicant:**  
**Application No.:**

and that this communication was not received by any individual designated in §1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

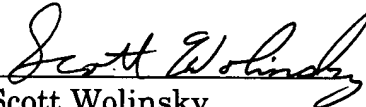
The source of the newly identified items of information is the enclosed communication from a foreign patent office in a counterpart application, dated October 27, 2006.

This Information Disclosure Statement is being filed with the fee required by 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Terry et al.

By   
Scott Wolinsky  
Registration No. 46,413  
(215) 568-6400

Volpe and Koenig, P.C.  
United Plaza, Suite 1600  
30 South 17th Street  
Philadelphia, PA 19103

SW/ls  
Enclosures (8)



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. I-2-0192.5US	SERIAL NO. 10/768,313
	APPLICANT Terry et al.	
	FILING DATE January 30, 2004	GROUP 2618

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,375,123	12/1994	Andersson et al.			
	5,428,816	06/1995	Barnett et al.			
	5,701,294	12/1997	Ward et al.			
	5,867,478	02/1999	Baum et al.			
	5,940,439	08/1999	Kleider et al.			
	5,949,790	09/1999	Pehkonen et al.			
	5,960,335	09/1999	Umemoto et al.			
	6,101,179	08/2000	Soliman			
	6,115,406	09/2000	Mesechner			
	6,167,031	12/2000	Olofsson et al.			
	6,208,663	03/2001	Schramm et al.			
	6,301,265	10/2001	Kleider et al.			
	6,307,867	10/2001	Roobol et al.			
	6,298,035	10/2001	Heiskala			
	6,330,288	12/2001	Budka et al.			
	6,347,071	02/2002	Cupo et al.			
	6,373,877	04/2002	Mesecher			
	6,374,118 B1	04/2002	Toskala et al.			
	6,381,231	04/2002	Silventoinen et al.			
	6,381,445	04/2002	Ue et al.			
	6,414,946 B1	07/2002	Satou et al.			
	6,545,997	04/2003	Bohnke et al.			
	6,567,665 B1	05/2003	Kissee			
	6,584,092	06/2003	Sudo			

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>FORM PTO-1449</b>  <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE</b> <b>STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)				<b>ATTY. DOCKET NO.</b> I-2-0192.5US		<b>SERIAL NO.</b> 10/768,313	
				<b>APPLICANT</b> Terry et al.			
				<b>FILING DATE</b> January 30, 2004		<b>GROUP</b> 2618	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,603,797 B1	08/2003	Zeira et al.			
		6,631,123 B1	10/2003	Jiang et al.			
		6,707,808 B1	03/2004	Vedrine			
		6,700,881	03/2004	Kong et al.			
		6,721,569 B1	04/2004	Hashem et al.			
		6,791,960	09/2004	Song			
		6,810,236	10/2004	Terry et al.			
		6,850,540	02/2005	Peisa et al.			
		6,909,901	06/2005	Terry et al.			
		6,928,065	08/2005	Logalbo et al.			
		6,958,989	10/2005	Dick et al.			
		6,963,540	11/2005	Choi et al.			
		6,987,746	01/2006	Song			
		7,035,234	04/2006	Toskala et al.			

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1 024 622 A2	08/2000	EP				
	*	2 122 288 /	11/1998	RU			X**	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

\*\* Abstract Only

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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				APPLICANT Terry et al.			
				FILING DATE January 30, 2004		GROUP 2618	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		98/21910 /	05/1998	WO			X <sup>1</sup>	
		99/10991 /	03/1999	WO			X <sup>2</sup>	
		00/72496	11/2000	WO				
		02/32179 /	04/2002	WO			X <sup>3</sup>	
		02/093847	11/2002	WO			X <sup>4</sup>	
		2004/042960	05/2004	WO			X <sup>5</sup>	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
EXAMINER INITIAL		

- X<sup>1</sup> Corresponds to RU 99112117
- X<sup>2</sup> Corresponds to RU 2000107145
- X<sup>3</sup> Corresponds to RU 2277762
- X<sup>4</sup> Corresponds to RU 2254686
- X<sup>5</sup> Corresponds to RU 2283538

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.